

Second Judicial District Court Washoe County Law Library

AGENDA

Locations: Virtual Zoom Meeting- Available at the Link Below

A meeting has been scheduled for the Law Library Board of Trustees on Wednesday, May 3, 2023, at 12:00 PM. This meeting will be available by videoconference. Members of the public may attend the ZOOM webinar remotely by accessing the following link:

https://washoecourts.zoom.us/j/98114115114?pwd=SFZNK0JPL2Z2clNJQlJWaHM5NE56Zz09

This option will require a computer with audio and video capabilities. To call in by telephone dial: 877 853 5247 (Toll Free) or 888 788 0099 (Toll Free), Webinar ID: 981 1411 5114, Passcode: 001524. The Board Chair may order the removal of any person whose statement or other conduct disrupts the orderly, efficient, or safe conduct of the meeting. Warnings against disruptive conduct may or may not be given before removal. The viewpoint of a speaker will not be restricted, but reasonable restrictions may be imposed upon the time, place and manner of speech. Irrelevant and unduly repetitious statements and personal attacks which antagonize or incite others are examples of speech that may be reasonably limited.

NOTE: Items on the agenda may be taken out of order; combined with other items; removed from the agenda; moved to the agenda of another later meeting; or may be voted on in a block. Items with a specific time designation will not be heard prior to the stated time, but may be heard later.

<u>Accessibility.</u> In compliance with the Americans with Disabilities Act, those requiring accommodation for this meeting should notify the Washoe County Law Library at (775) 328-3250, 24 hours prior to the meeting.

<u>**Time Limits.</u>** Public comments are welcomed during the Public Comment periods for all matters, whether listed on the agenda or not, and are limited to three minutes per person. Additionally, public comment of three minutes per person will be heard during individual action items on the agenda. Persons may not allocate unused time to other speakers.</u>

<u>Public Comment.</u> Members of the public may submit public comment in person at the meeting, or by logging into the ZOOM webinar listed above. Members of the public may also submit public comments ahead of time via email to <u>sarah.bates@washoecourts.us</u>.

Responses to Public Comments. The Board of Trustees can deliberate or take action only if a matter has been listed on an agenda properly posted prior to the meeting. During the public comment period, speakers may address matters listed or not listed on the published agenda. The Open Meeting Law does not expressly prohibit responses to public comments by the Board of Trustees. However, responses from Board members to unlisted public comment topics could become deliberation on a matter without notice to the public. On the advice of legal counsel and to ensure the public has notice of all matters the Board of Trustees will consider, Board of Trustees may choose not to respond to public comments, except to correct factual inaccuracies, ask for staff action or to ask

that a matter be listed on a future agenda. The Board of Trustees may do this either during the public comment item or during the following item: "Board Comment – Limited to Announcements or Issues for Future Agendas."

Supporting documentation for agenda items provided to the Law Library Board of Trustees is available to members of the public at the Law Library located at 75 Court Street, First Floor, Room 101, Reno, Nevada 89501, and online at <u>https://www.washoecourts.com/LawLibrary</u>. Sarah Bates, Law Librarian, is the person designated by the Law Library Board of Trustees to respond to requests for supporting materials. Ms. Bates is located at the Second Judicial District Court and may be reached by telephone at (775) 328-3254 or by email at <u>sarah.bates@washoecourts.us</u>. The agenda will be:

- 12:00 PM 1. Roll Call
 - 2. Public Comments
 - 3. Approval of Minutes from Board Meeting of February 1, 2023. For possible action.
 - 4. Update regarding the Law Library 2023 statistics, including Lawyer in the Library,
 - National Library Week, and Law Day.
 - 5. Status update from Mike Kattelman and discussion about the informational video project about the court system and court procedure for the public. The Board may take action to modify or make recommendations regarding the project. *For possible action*.
 - 6. Discussion regarding and possible action to approve the surrender of the Law Library account by the Washoe County Bar Association [approximately \$95,000.00]. *For possible action.*
 - 7. Discussion regarding and possible action to approve funding for one employee to attend the American Association of Law Libraries Annual Conference in Boston, MA in July 2023 [approximately \$2,991.42]. *For possible action.*
 - 8. Review and approval of a new Law Library Internet Safety policy that identifies intent and purpose of compliance with Children's Internet Protection Act (CIPA). *For possible action*.
 - 9. Discussion regarding and possible action to accept grant award of approximately \$10,431.00 provided by the Institute of Museum and Library Services through the Library Services and Technology Act, administered by the Nevada State Library, Archives and Public Records to be used for creating a Children's Corner in the Law Library. The Law Library would move existing furniture to accommodate creating a Children's Corner. *For possible action*.
 - 10. Board Comment Limited to Announcements or Issues for Future Agendas
 - 11. Public Comments
 - 12. Adjournment

The agenda for this meeting has been posted at the following locations: Washoe County Law Library (Washoe County Courthouse, 75 Court Street, Room 101, Reno), Second Judicial District Court (Washoe County Courthouse, 75 Court Street/South Virginia Street, Reno), online at the Nevada Public Notice Website (https://notice.nv.gov/), and <u>https://www.washoecourts.com/LawLibrary</u>.

WASHOE COUNTY LAW LIBRARY

SECOND JUDICIAL DISTRICT COURT

Law Library Board of Trustees

Meeting Minutes

February 1, 2023

1. Roll Call

Board Members present:

Chief Judge Lynne Simons, Honorable Connie Steinheimer, Honorable Tamatha Schreinert, Cortney Young, Aurora Partridge, and Mike Kattelman.

Also present were:

Sarah Bates, Washoe County Law Librarian, and Lindsay Lidell, Deputy District Attorney, Washoe County District Attorney's Office

2. Public Comments:

Deandre Burleson provided public comment.

3. Approval of Minutes from Board Meeting of November 16, 2022. For Possible Action.

Chief Judge Simons noted a correction in the spelling of her name. Trustee Kattelman made a motion to approve the minutes as amended. Chief Judge Simons seconded the motion.

No discussion was had.

Motion passed unanimously.

4. Update regarding the Law Library, annual statistics, staffing, including Lawyer in the Library Update, 2022 statistics on volunteers and attendance.

Ms. Bates provided an update on the status of the Law Library and noted that the Law Library Assistant, III position is vacant again as the prior person in the role transitioned to the Resource Center.

Discussion was had regarding the volunteers, statistics, and the current challenge offered by the State Bar regarding volunteer hours. Judge Steinheimer noted that one way attorneys can get credit through the challenge is to volunteer in the Lawyer in the Library program.

No action was taken.

5. Welcome new Board member, Aurora Partridge.

The Board welcomed Aurora Partridge who is replacing Kathi Lutsch. Ms. Partridge spoke briefly and introduced herself and shared her background.

No action was taken.

6. Nomination and Election for Law Library Board of Trustees Officer Positions of President and Secretary. For Possible Action.

Judge Steinheimer was nominated as President, and she accepted the nomination. Cortney Young was nominated as Secretary, and she accepted the nomination. The slate was presented and offered for vote.

Motion passed unanimously.

7. Status update from Mike Kattelman and discussion about the informational video project about the court system and court procedure for the public. The Board may take action to modify or make recommendations regarding the project. For possible action.

Trustee Kattelman provided an update on the status of the project. He has taken input from the Board as set forth in the last meeting to diversify presenters and is working to get additional people involved. The editor is a student, and her schedule will dictate the pace at which the videos can be edited. Trustee Kattelman expects to be able to begin work again on the videos and presentations in April.

No action was taken.

8. Recommendation to accept a donation of \$2903.64 from the Washoe County Bar Association to hold the annual lunch and awards ceremony to recognize and show appreciation for our Lawyer in the Library 2022 volunteers. For possible action.

Ms. Bates presented the item and requested that the Board accept the donation. Trustee Kattelman made a motion to accept the donation. The motion was seconded by Trustee Halstead.

No Discussion was had.

Motion passed unanimously.

9. Recommendation to accept a donation of \$9,236.00 from the Washoe County Bar Association for the purchase of a one-year subscription to the HeinOnline database for both onsite and remote access, and the purchase of 20 books from the National Business Institute (NBI). For possible action.

Ms. Bates presented the item and requested that that Board accept the donation. Trustee Halstead asked what the breakdown of costs was between the database and the books. Ms. Bates noted that the database is approximately \$6,300.00 and the books make up the remaining amount.

Chief Judge Simons asked what, if any, continuing monetary obligations are there with the one-year subscription. Ms. Bates explained that there is not a continuing cost if we determine that we do not want to continue with the subscription.

Trustee Young asked Ms. Bates how the product will be marketed to those who may be interested in using the database and discussion on that was had.

Judge Schreinert made a motion to accept the donation as presented. Trustee Kattelman seconded the motion.

No discussion was had.

Motion passed unanimously.

10. Board Comment – Limited to Announcements or Issues for Future Agendas.

Trustee Kattelman asked that the agenda item regarding the videos for the public be added to the next agenda.

10. Public Comment.

None.

11. Adjournment at 11:27 a.m.

Law Library Statistics: January – March 2023











LAWYER IN THE LIBRARY PROGRAM JANUARY - MARCH 2023

New attorney volunteers are in bold.

DATE	ATTORNEYS	# OF ATTENDEES	# ON WAITLIST WHO WERE NOT CONTACTED/ TYPE OF WAITLIST
JAN. 3, 2023	Rost Olsen, Max Stovall	17	8 Family
JAN. 4, 2023	Michael Alonso, Jennifer McMenomy	16	5 General
JAN. 10, 2023	Chloe McClintick, Tehan Slocum, Janet Traut	17	4 Family
JAN. 11, 2023	Michael Alonso	8	6 General
JAN.17, 2023	Kathy Breckenridge, Chad Pace	16	11 Family
JAN. 18, 2023	Brian Saeman, Maddy Shipman	15	4 General
JAN. 24, 2023	Tehan Slocum, Jill Whitbeck	12	8 Family
JAN. 25, 2023	Karyna Armstrong	8	16 General
JAN. 31, 2023	Kendra Jepsen, Gary Silverman	13	15 Family
FEB. 1, 2023	Rick Cornell, Pat Millsap, McClure Wallace	17	4 General
FEB. 7, 2023	Mike Roth, Max Stovall	14	15 Family
FEB. 8, 2023	John Samberg	7	7 General
FEB. 14, 2023	Mike Roth, Gary Silverman, Janet Traut	12	10 Family
FEB. 15, 2023	Bryce Alstead , Robert Broili, Lance McKenzie, Matt Morris, Amber Rudnick	24	0
FEB. 21, 2023	Chloe McClintick, Max Stovall	16	11 Family
FEB. 22, 2023	Philip Mannelly	8	7 General
FEB. 28, 2023	Kendra Jepsen, Kevin Ryan	14	3 Family
MAR 1, 2023	John Samberg	8	8 General, 1 Probate
MAR. 7 , 2023	Chloe McClintick, Max Stovall	16	9 Family
MAR. 8, 2023	Chad Pace	8	2 General
MAR. 14, 2023	Bryan Carpenter, Mike Roth	14	5 Family
MAR. 15, 2023	Jennifer McMenomy, Maddy Shipman	16	3 General, 4 Probate
MAR. 21,2023	Rost Olsen, Max Stovall	13	0

MAR. 22, 2023	Jane Susskind	8	2 General
MAR. 28, 2023	Kendra Jepsen, Gary Silverman	13	4 Family
MAR. 29, 2023	Matt Morris	8	1 General
TOTAL		338	173
			(103 Family,
			65 General, 5
			Probate)

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WASHOE COUNTY LAW LIBRARY SANCTION FUND

A Non-Endowed Designated Fund Agreement With the Community Foundation of Northern Nevada

THIS DESIGNATED FUND AGREEMENT, entered into effective this _____ day of _____ 20____ by and between the Washoe County Law Library (the "Donor") and the Community Foundation of Northern Nevada, a Nevada non-profit corporation (the "Foundation"), to create the Fund (hereafter defined). This agreement sets forth the terms and conditions that will apply to the Fund beginning on the date of the initial contribution to the Fund.

- 1. Establishment of Fund. The Fund hereby created shall be known as the Washoe County Law Library Sanction Fund ("Fund"). It is the express intent of the Donor and the Foundation that the Fund shall not be treated as a "donor advised fund," as defined in Section 4966(d) of the Internal Revenue Code of 1986, as amended (the "Code") by virtue of the Fund being described in Section 4966(d)(2)(B)(i) of the Code, as a fund that benefits only a single identified organization. The Donor agrees that the Fund is not an endowment and the Fund may make distributions out of both principal and income.
- 2. <u>Purpose.</u> The Fund's general purpose is to promote and further the Foundation's charitable purposes as set forth in the Foundation's Articles of Incorporation and Bylaws. In particular, the Fund is being established primarily to provide support for the Washoe County Law Library.
- 3. <u>Contributions to the Fund</u>. The Donor, or any other donor or entity, may transfer to the Fund at any time, property acceptable to the Foundation, for such purposes. All contributions other than cash and marketable securities must be approved and acceptable to the Foundation.
- 4. <u>Investment of Fund Assets.</u> The Foundation shall hold, manage, invest and reinvest the assets of the Fund (including principal, interest, dividends, capital appreciation, and any undistributed income) as part of the Foundation's investment portfolio consistent with the Foundation's investment policy. The Foundation does not guarantee that the Fund will earn any particular rate of return. The Foundation shall not be liable for any diminution in the

value of the Fund, including, but not limited to any losses that may result from the investment of the fund.

- 5. <u>Distributions.</u> All distributions from Fund assets will be made exclusively as stated in the Purpose section, in accordance with the provisions specified in the Articles of Incorporation and Bylaws creating the Foundation, all of which are incorporated herein by reference and conclusively assented to and adopted. As a Non-Endowed Designated Fund all disbursements will be made to the Washoe County Law Library. The Washoe Law Library Board, or their designee, may make recommendations for disbursements from the fund. Distributions may include the principal, income, including interest, dividends and any capital gains.
- 6. <u>Fees.</u> In consideration of the administrative services provided to the Fund by the Foundation, the Fund shall be charged an administrative fee of \$400 annually, or 1.5% of the average daily balance of the fund, whichever is more. The administrative fees will be reduced or adjusted, should the Fund exceed \$1 million or other thresholds per the Fee and Fund Policy. Fees are calculated on the daily average fund balance for the most recent month and paid monthly by automatic deduction from the Fund balance.
- 7. <u>Component Fund.</u> The Fund shall be a component fund and part of the Foundation as defined in Treasury Regulations, and assets of the Fund will, at all times, be the property of the Foundation. Nothing in this Agreement shall affect the status of the Foundation as an Organization (i) described in section 501 (c)(3) of the Internal Revenue Code of 1986 ("Code") and (ii) which is not a private foundation within the meaning of section 509(a) of the Code. This Agreement shall be interpreted in a manner consistent with the foregoing intention and conform with the requirements of the foregoing provisions of the Federal tax laws and any regulations issued thereunder.
- 8. <u>Variance Power.</u> The Donor acknowledges and agrees that the Fund is protected from obsolescence, and that all assets of the Fund will be administered by the Foundation, in accordance with the provisions and terms of the Articles of Incorporation and Bylaws of the Foundation, all of which are incorporated herein by reference and conclusively assented to and adopted. The Donor further acknowledges and agrees that, notwithstanding any

provision contained in this Agreement to the contrary, should any of the purposes, restrictions, or conditions imposed upon the Fund or its assets ever become obsolete, unnecessary, incapable of fulfillment, or inconsistent with the charitable purposes or needs served by the Foundation, the Foundation's Board of Trustees shall have the sole variance power to modify such purpose, restriction, or condition, and in so doing, the Board shall use its reasonable efforts to use Fund assets for a purpose as similar as possible to those set forth in this Agreement.

- 9. <u>Public Foundation Condition.</u> All transfers of property under this Agreement are subject to the condition that the Foundation, as of the date of transfer, remains an organization (i) described in section 501(c)(3) of the Code and (ii) which is not a private foundation as defined in section 509(a) of the Code.
- **10.** <u>IRS Compliance</u>. This Fund and this Agreement shall comply with and be restricted by the Code and Treasury Regulations applicable to the Fund. This Agreement may be amended to comply with the provisions of the Code.
- 11. <u>Choice of Law</u>: The Fund shall be administered in and under the laws of the State of Nevada, and this Agreement and the validity thereof shall be governed by and construed in accordance with the laws of the State of Nevada.
- 12. <u>Miscellaneous</u>. This Agreement constitutes the entire understanding and agreement between the Donor and the Foundation concerning the subject matter hereof and supersedes all prior and contemporaneous agreements, correspondence, representations, or understandings between the parties relating to the subject matter hereof, whether written or oral. The provisions of this Agreement are severable. The invalidity of any one provision shall not affect the validity of other provisions of this Agreement. The waiver by a party of a breach of any provision of the Agreement shall not operate or be construed as a waiver of any subsequent breach. This Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and permitted assigns. Headings and captions herein have been provided solely for convenience of reference and shall in no way be construed to define, limit, or describe the scope or substance of any provision of this Agreement may be executed in one or more counterparts,

each of which shall be considered an original, but all of which together shall constitute one and the same agreement.

IN WITNESS WHEREOF, the Donor and the Foundation have executed this Agreement as of the date first above written.

SIGNER

By:

Honorable Connie J. Steinheimer, President Washoe County Law Library Board of Trustees

Date

COMMUNITY FOUNDATION OF NORTHERN NEVADA

A Nevada Nonprofit Corporation

By:

Lauren Renda, CAP® Philanthropic Advisor

SECOND JUDICIAL DISTRICT COURT STATE OF NEVADA WASHOE COUNTY



Washoe County Law Library Internet Safety Policy

As of May 4, 2023, it will be the policy of the Second Judicial District Court of Nevada and the Washoe County Law Library to comply with the Children's Internet Protection Act [Pub.L.No.16-554 and 47 USC 254 (h)] (hereto referred to as CIPA) which requires the Court to implement internet traffic filtering on publicly accessible internet-connected terminals for protecting against access through said terminals to visual depictions that are I. Obscene, II. Child Pornography, or III. Harmful to Minors. This policy follows specific guidelines to provide filtered Internet access for all public access internet terminals at the Second Judicial District Court and the Washoe County Law Library.

The blocking / filtering software and hardware is inherently imprecise and flawed, it will inevitably block access to a variety of constitutionally protected material available on the Internet. Patrons are hereby notified that due to technological limitations of filtering software and constantly evolving Internet technology, filters are incapable of totally protecting against access to Internet material that is obscene, child pornography, or harmful to minors.

Key terms are as defined in the Children's Internet Protection Act (CIPA)

Technology Protection Measure: A specific technology that blocks or filters Internet access to visual depictions that are:

1. Obscene, as that term is defined in section 1460 of title 18, United States Code; or

2. Child Pornography, as that term is defined in section 2256 of title 17, United States Code; or

3. Harmful to minors, meaning any picture, image, graphic image file, or other visual depiction that:

1. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;

2. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and

3. Taken as whole, lacks serious literary, artistic, political, or scientific value to minors.

Sexual Act; Sexual Contact meaning such terms defined in 2246 of title 18, United States Code.

Access to Inappropriate Materials:

To the extent practical, technology protection measures (or "Internet filters") shall be used to block or filter Internet or other forms of electronic communications or access to inappropriate information. Specifically, as required by CIPA, blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors. For individuals age 18 years and older technology protection measures may be disabled or minimized for bona fide research or other lawful purposes.

Inappropriate Network Usage:

To the extent practical, steps shall be taken to promote the safety and security of users of the Second Judicial District Court's and Washoe County Public Library's public computer network Specifically, prevention of inappropriate network usage includes: (a) unauthorized access, including so-called "hacking", and other unauthorized disclosure, (b) use and dissemination of personal identification information regarding minors, (c) software piracy and violation of copyright or license agreements and (d) attempts to damage or alter equipment, software or hardware configurations. Individuals who violate these policies, after being warned, may be restricted from access to the Second Judicial District Court's and the Washoe County Public Library's public services. Law Enforcement may be contacted for assistance.

Privacy and Anonymity

Users will be able to access and use the Internet anonymously.

Supervision and Monitoring

It shall be the responsibility of the Second Judicial District Court's staff and the Washoe County Public Library's staff to supervise and monitor usage of the online computer network and access to the Internet in accordance with this policy and CIPA. Information about the ongoing blocking of content by filters required by CIPA will be made available by request.

Procedures for disabling or modification to technology protection measures shall be the responsibility of the Second Judicial District Court IT department at the direction of a member of Court Administration or management.

APPROVED: XX/XX/XXXX by the Law Library Board of Trustees









